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September 15, 2022

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**VIA ECF**

Judge Robert W. Lehrburger  
500 Pearl Street, Room 18D  
United States Courthouse  
Southern District of New York  
New York, New York 10007

**Re: Everytown for Gun Safety Action Fund, Inc. v. Defcad, Inc., et al.,  
Case No. 21-cv-08704**

Dear Judge Lehrburger:

We write on behalf of Plaintiff Everytown for Gun Safety Action Fund, Inc. (“Everytown”), and Defendants Defcad, Inc., Odysee User xYeezySZN, Defcad User xYeezySZN, The Gatalog, Twitter User xYeezySZN, and Phillip Royster (together “Defendants”) to respectfully request an extension of the current case deadlines in the above captioned case.

Currently, the Court’s Scheduling Order of May 18, 2022 [DKT. 92] provides a deadline of September 15, 2022 for the completion of fact witness depositions and fact discovery. Everytown and the Defendants jointly request a sixty (60) day extension of the current deadlines to allow the parties until November 14, 2022 to complete the fact discovery, namely Requests for Admissions only, and to complete fact depositions, proposing the following:

	<b>Current Scheduling Order</b>	<b>Proposed Deadline</b>
Deadline to Complete Fact Depositions	September 15, 2022	November 14, 2022
Deadline to Complete Fact Discovery	September 15, 2022	November 14, 2022*
Deadline to Complete Expert Discovery	November 15, 2022	January 30, 2023



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The Parties have not made any previous requests to modify the current Scheduling Order. There is good cause for this extension because the Parties have participated in the SDNY Mediation Program on September 7th, and 8th, and are continuing to explore settlement in this matter. The Parties further believe that said extension of case deadlines will not burden the Court given that a trial date has not yet been set in this matter.

Respectfully submitted,

/s/Marcella Ballard

Cc: Counsel of Record